

Buffalo National River

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Attachment B: Commercial Use Authorization Specific Conditions For Guided Fishing Trips and Guided Sightseeing Tours

The Permittee and employees registered under this Permit will exercise this privilege subject to all of the following Specific Conditions:

1. **Definition of Services Authorized Under This Permit:** The Guided Fishing Trips and Guided Sightseeing Tours Commercial Use Authorization (CUA) consists of providing guided fishing trips and/or guided sightseeing tours by escorting visitors/clients to destinations on Buffalo National River between Carver and the White River by boat/vessel designed for such use, while maintaining a required continuous presence at all times with the visitors/clients as specified below:
 - a. The Permittee, or registered employee(s), of the business will maintain the required continuous presence with the visitors/clients from put in to take out.
 - b. Permittee will designate if they offer Guided Fishing and/or Guided Sightseeing tours.
 - c. Fishing will be conducted in accordance with current state/federal laws and/or restrictions.
 - d. The terms and conditions of this Permit apply to guided fishing trips and/or guided sightseeing tours regardless of compensation or lack thereof.
 - e. The area of operation is from Carver to White River. Permittee's boats are not permitted upriver (west) of Carver.
 - f. The area(s) authorized for use under this authorization must be left in substantially the same condition as it was prior to the activities authorized herein.
 - g. Shuttle services for clients' vehicles are not authorized under this Permit. All shuttle services must be provided by a Buffalo National River Canoe Concessioner. A list of current concessioners is available at <http://www.nps.gov/buff/canoe-rentals.htm>
 - h. All trips within park boundaries must be conducted utilizing "Leave No Trace" principles. The National Park Service will provide "Leave No Trace" information cards to all CUA holders and their employees.
 - i. When operating within the park boundaries, the Permittee and registered employee(s), when approached by any NPS Park Ranger must announce that they are an authorized fishing/sightseeing guide.
 - j. Permittee must inform the National Park Service within 24 hours when an employee (those working under this permit) is added or is no longer an employee of the business.

- k. Proof of authorization approval must be with the Permittee and their employees when operating in the park unit. A copy of the signature page is acceptable and must be presented to any park employee on demand.
- l. This authorization does not authorize the Permittee to advertise, solicit business, collect any fees, or sell any goods or services on lands owned and controlled by the United States. The authorization is for the incidental use of park area resources by operations that provide commercial services originating and terminating outside of the park unit (or within an inholding).
- m. The Permittee shall inform clients of the general park regulations and safety concerns before beginning trip.

2. Boat Vessel Specifications:

- a. The number of boats authorized under this permit are five (5).
- b. The types of boats authorized are john boats and non-motorized drift boats. Canoes, kayaks, and rafts are NOT authorized for use under this permit.
- c. Boat motors are limited to 10-horsepower.
- d. The Permittee shall not exceed any carrying capacity per vessel type in accordance with U.S. Coast Guard standards.
- e. All vessels used under this Permit must carry a U.S. Coast Guard approved personal flotation device (PFD) for each operator and passenger. Boat cushions (Type IV throwable devices) are not to be used as personal flotation devices.
- f. Current state registration and NPS issued CUA decals will be properly affixed and displayed at all times.
- g. Boats will be in sound mechanical condition, and in safe and serviceable order.

3. Vehicle and Tow Trailers:

- a. When towing registered boats/vessels into the park, the motorized tow vehicle(s) will be mechanically sound and of sufficient size, horsepower, and brake power, commensurate to the size of the boat/vessel being towed to adequately and safely complete the tow from the Permittee's place of business, to the launch site within the park, and return.
- b. Vehicles used to provide this service will be street legal and have current insurance, registration, and license in accordance with state law. The license plate will be properly affixed and displayed as required by state law.
- c. Trailers used to transport boats/vessels within the park will have current insurance, registration, and license in accordance with state law. The trailer will be in sound mechanical condition, appropriately sized and configured for the type of boat/vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times. A current state license will be properly affixed and displayed at all times.

4. Overnight Fishing Trips: Sightseeing Tours are not approved for overnight stays unless they obtain a separate Commercial Use Authorization for Guided Camping. Guided Fishing Trips will be permitted to conduct overnight camping trips under the following terms:

- a. Permittee must notify the Midwest Region Ozark Communication Center (MROCC) toll free at 888-692-1162 with overnight trip itineraries. Ie: dates, put-in and take-out areas, number of people, etc.
- b. Individual campsites must not exceed 7 campers and 3 tents.
- c. Overnight stays are limited to three nights in any one location.

- d. Permanent base camps are not authorized.
 - e. Burning of garbage, food scraps or other refuse is prohibited.
5. **Food Service:** Food service provided shall be in accordance with current U.S. Public Health Service Food Code and the National Park Service's Reference Manual 83F for Backcountry Food Service. Food service is subject to inspection by the NPS Public Health and Safety Officer.
- a. Any food items provided by the Permittee to the visitors/clients will only originate from an approved source (i.e., supermarket, grocery store, etc.).
 - b. At least one guide on each excursion providing food service will be a certified food handler and will be responsible for overseeing the storage, preparation, and serving of food. All guides are encouraged to become certified food handlers. The only exception is for individual pre-packaged food, like a granola bar, that the visitors/clients open and consume without any other person handling it. Approved Food Handler courses and exams may be from local and state health departments, or a nationally recognized certification program. The certification must be renewed upon expiration, or if more than three years have passed since the date of issuance. The Permittee must ensure that current copies of the Food Handler's Certificate(s) are always on file with the Commercial Services Office at Buffalo National River. An internet search for "Arkansas food handler" will provide a number of State approved sources for food handling certification.
 - c. Alcohol must not be provided.
 - d. Information on human illnesses associated with food or water sources within park boundaries will be immediately reported to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162, at the earliest possible opportunity.
6. **Waste Management:** The Permittee will manage human waste to assure proper disposal at park toilet facilities or will provide its own portable toilets. In areas without toilets, solid (fecal) human waste will be buried at least 6 inches below ground in a vegetated area and urination must occur in vegetated areas away from the river and gravel bar. All bathing and washing, including dishwashing, will be done with biodegradable soaps no less than 200 feet from any water source to prevent wash water from being introduced into the water source. All other activity generated debris will be collected and disposed of outside of the park.
7. **Damage to Natural/Cultural Resources:** The Permittee and their employees registered under this Permit will ensure that no visitor/client disturbs, climbs on, damages, or removes any natural/cultural resources, archeological or historic artifacts. Entering any closed area is prohibited by law.
- a. If artifacts are discovered, the Permittee will ensure they are left in place undisturbed, and will immediately report the discovery to the Buffalo National River Cultural Resources office at (870) 365-2792 or to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162.
8. **Licenses:**
- a. The Permittee and guide(s) conducting Guided Fishing Trips under this Permit are required to possess a current resident or non-resident fishing guide license (as applicable) issued by the Arkansas Game and Fish Commission.

- b. The Permittee must ensure that current copies of the Guide License(s) are always on file with the Commercial Services Office at Buffalo National River.
 - c. All visitors/clients receiving guided fishing services under this Permit must have a valid fishing license in their immediate possession. The Permittee will be held accountable for compliance with this condition.
7. **First Aid Requirements:** The Permittee and guide(s) are required to possess current Basic First Aid and CPR certification (adult and child) and will carry first aid equipment commensurate with the size of the group and training of the Permittee and guide(s). The Permittee must provide current copies of the Basic First Aid certification(s) and CPR certification(s) to the Buffalo National River Commercial Services Manager for filing as part of the Permit. (Refer to 46 CFR 10.205(h)(1)(ii) and 10.205(h)(2)(iii)).
8. **Operation Plan:** The Permittee is required to submit an Operation Plan [example is provided at the end of this document] to the National Park Service (NPS) summarizing the operations to be conducted, safety plan of action, and methods of operation employed to prevent pollution and to reduce waste through source reduction and recycling. The operation plan is reviewed and approved/ disapproved by the NPS. The operation plan will be kept on file and will become part of the record regarding the performance of this Permit. However, it is a separate document and will not become part of the Permit. The operation plan will specifically include:
- a. Safety plan of action the Permittee will implement in the event of accident or injury.
9. **Emergency Response:** All emergency situations such as accidents, fires, and search and rescues will be reported to the Midwest Region Ozark Communication Center (MROCC) at (888) 692-1162, at the earliest possible opportunity.
10. **Exotic Species Prevention:** The Permittee is responsible for knowing what waters any boat/vessel providing services under this Permit has been exposed to in the 30 day period prior to entering the park. The Permittee will make every effort to ensure their boats/vessels being brought into the park under the services of this permit known to have been exposed to waters containing exotic species such as Zebra Mussels, Eurasian Watermilfoil (aquatic plant), etc., are free from infestation as outlined below.
- a. The Permittee is responsible for conducting a visual inspection and thorough cleaning of any boat/vessel that has been in any waters in the 30 day period **prior** to entering Buffalo River. All clinging vegetation will be removed. The cleaning will include as a minimum, washing with water heated to 170° or hotter all wet wells; hull, props, shafts, trim tabs, outdrives, outboard engines, and trailers as well as flushing motor/engine cooling systems.
 - b. The Permittee is responsible for clearly identifying to the NPS those boats/vessels being brought into the park area under the services of this permit that have been in waters known to contain exotic species, and state for the record that a thorough cleaning has been conducted.
 - c. The Permittee and their employees registered under this permit will not launch any boat/vessel known to have been exposed to waters containing exotic species without first cleaning the boat/vessel as outlined above. Questions concerning cleaning methods, or requests for assistance in determining possible infestation should be directed to the Buffalo National River Resource Management Division by phone (870) 365-2764.

- d. Permittee must attend NPS Training on Exotic Species Prevention to be held at Buffalo National River. Failure to attend training will result in loss of permit.

11. Liability Insurance: The following liability insurance is required for this service:

- a. Commercial Comprehensive General Liability: The minimum amount of Commercial Comprehensive General Liability insurance required for this service is **\$500,000 per occurrence**.
- b. Automobile Liability: This insurance is required for all owned, non-owned and hired vehicles. The following **minimums per occurrence** apply as they relate to passenger capacities:
 - Cars, trucks and vans up to 5 passengers: \$ 300,000
 - Cars, trucks and vans 6-12 passengers: \$ 500,000
 - Vans and buses 13-20 passengers: \$ 750,000
 - Buses 21-50 passengers: \$1,500,000

12. Prohibited Activity: The Permittee and employees registered under this permit are specifically prohibited from providing, conducting, engaging in, or effecting by any method of delivery, including by land, by water or by air, the following:

- a. Engaging in an activity for which you are NOT specifically permitted is prohibited.
- b. Traversing by vehicle anywhere other than on designated roads.
- c. Causing any damage and/or harm to any natural, cultural and/or historic resource or facility, including removing posted signs.
- d. Disturbing or collecting any artifacts by any means and/or any methods.
- e. Outside of authorized activities directly related to fishing: harassing, capturing, collecting, chasing and/or killing any wildlife.
- f. Feeding wildlife.
- g. Cutting and/or creating new trails in any form or by any means.
- h. Marking trails and/or fishing spots by flagging, rock cairns, vegetation or dead wood, or by use of marking paint of any kind or by any means.
- i. Pets of any kind on guided fishing or sightseeing trips.
- j. Entering by vehicle, boat/vessel or on foot, any closed areas.
- k. Providing guided fishing or sightseeing service to any commercial film, research entity, or any agency without first ensuring the entity or agency possesses a valid Special Use Permit issued by the Buffalo National River.
- l. Providing alcohol products of any kind to any visitor/client.
- m. Live vegetation shall not be cut neither shall any soil be excavated.

SAMPLE OPERATION PLAN

Mather & Muir Guide Service

Operation Plan for Guided Fishing Services

Introduction: Mather & Muir is a family-owned business and has provided professional fishing guide services in the Ozark region since 1995. Our goal is to provide a safe, enjoyable and successful fishing experience to all of our fishing clients. Mather & Muir is authorized to conduct guided fishing trips on the Buffalo National River under the terms of Commercial Use Authorization # BUFF-13-xxx

Points of Contact:

Mather & Muir Guide Service
125 Fish Jump Lane
Littletown, AR 72000

Business Phone: (870) 123-4567

Website: www.mmfishguide.com

John Mather, President and Master Guide
Cell Phone: (870) 333-5555
Email: jmather@matherandmuir.com

Jim Muir, Vice President and Licensed Fishing Guide
Cell Phone: (870) 555-3333
Email: jmuri@matherandmuir.com

Trip Planning: Prior to each fishing trip, guide shall ensure that the following items are on board:

- Topographic maps of Buffalo National River.
- All items on "Fishing Equipment List"
- All items on "Emergency Equipment List"
- Copy of Commercial Use Authorization.
- First Aid kit.
- Personal Flotation Device (PFD) for everyone on boat.
- File trip itinerary with MROCC (888-692-1162)

SAMPLE OPERATION PLAN

Staff Training: All guides must possess an Arkansas Game & Fish guide license and complete the following training before conducting any fishing trips for Mather & Muir:

- Basic First Aid
- CPR (child and adult)
- NPS Exotic Species Training
- Wilderness Survival
- Camp Setup Procedures
- Satellite Phone Operations Procedure
- Emergency Procedures
- Leave No Trace Practices

Client Orientation: Upon making reservations for fishing trip, all clients will receive a brochure that explains what to expect, how to pack for their trip, and an overview of Leave No Practices that will be followed during their fishing trip.

Before launching the boat, the guide will provide an orientation to clients that covers:

- Location of First Aid kit and Emergency Equipment.
- Location and use of satellite telephone.
- Location of safe drinking water.
- Instructions on use of PDFs and to remain seated while boat is moving.
- Emergency procedures.
- Reminders about sunscreen and insect repellent.

For overnight trips, upon arriving at camp, the guide will provide an orientation to clients that covers:

- Camp layout.
- Waste management.
- Location of cat hole areas.
- Leave No Trace practices.
- Bear safety.
- What to do if you get lost.
- What to do if you fall out of the boat or boat tips over.

Safety Plan:

- Always be alert.
- Avoid close contact with wildlife (other than fish).
- Do not feed wildlife.

SAMPLE OPERATION PLAN

- Never leave client alone in boat.
- Always wear life jacket (PDF) in the boat.
- Never stand up in the boat when it is moving.
- Wait until boat is stopped and secure before standing up.
- Use ear protection when running outboard.
- Check gas and oil levels before heading out for the day.
- Except in emergency situations, don't run the boat after dark.
- Don't overload boat; make two trips if you have to.
- Keep a constant look out for debris in the water and shallow spots.
- Always carry survival gear in your pack:
 - Rain gear.
 - Extra snacks.
 - Warm hat and gloves.
 - Dry socks.
 - Knife.
 - Flashlight and extra batteries.
 - Head lamp.
 - Waterproof matches or lighter.
 - Signaling device.
 - Fire starter.
- Check contour of the land and look for potential trouble due to rain, flooding, etc.
- Be alert for signs of hypothermia or dehydration.

What To Do If Someone Becomes Lost: Inform all clients of what to do if they become lost:

- Don't Panic! Fear is your worst enemy.
- STOP: Sit down, Think, Observe, and Plan.
- Try to figure out where you are by landmarks on your map.
- Try to get as much done before dark to help avoid getting injured.
- Make shelter for the night.
- Keep as warm and dry as possible.
- Try to remember how you got there.
- Signal if you know others are looking for you: flash light, fire, smoke, whistle.
- If a member of the party becomes lost, guide will use satellite telephone to notify MROCC (888) 692-1162 and the M&M Office at (870) 123-4567.

Emergency Procedures:

- Don't Panic! Stay calm and think through the situation.
- Stabilize the situation. Protect from further injury.

SAMPLE OPERATION PLAN

- Provide whatever treatment you can.
- Use satellite telephone to call MROCC for help (888) 692-1162.
- If possible, don't leave the injured party along. If you must leave, make personal comfortable as possible with warm clothing, shelter and food.
- Give locations (give coordinates from satellite phone).
- Give details of the incident and injuries.
- Notify M&M Office at (870) 123-4567.
- If all of the above fails, use a signal fire, flash light or flares to alert passing plane, boat, or other parties near your location.
- Continue to care for the injured party until help arrives.
- Stay calm, help WILL arrive.

END